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EAST TIMOR IN TRANSITION

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This briefing paper is in eleven parts:

1. Introduction
2. Background
3. Current political situation
4. Backtracking?
5. The paramilitaries
6. The threatening emergency
7. Development principles
8. Aid
9. Coordination
10. Building East Timorese capacity
11. Conclusion

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1. Introduction

East Timor's political fortunes have recently taken a dramatic turn for the better. Following President Habibie's announcement on January 27 that Indonesia would consider independence for East Timor, most observers, including Australia, have concluded that East Timor is destined for a dramatic change in its political status, and most probably independence.

While it will end a nightmare, independence will also mark the beginning of a new struggle which will test both the East Timorese and the international community to the fullest. East Timor is deeply traumatised, poor, and weak in human resources and infrastructure and will share a border with its erstwhile occupier, itself in turmoil.

This paper backgrounds the issue and the current state of play, discusses some of the key challenges facing East Timor in the short and long term and recommends ways in which NGOs might work alongside the East Timorese people to build a new society based on principles of human rights, democracy and sustainable development.

2. Background

East Timor comprises the eastern half of the island of Timor and is located in the eastern part of the Indonesian archipelago just north of Darwin. As a former Portuguese colony it was not claimed as part of the new republic by Indonesia's founding fathers.

Fearing the establishment of a left-wing enclave in its immediate neighbourhood, Indonesia's paranoic military regime invaded the territory in 1975. The invasion was condemned by the UN as act of aggression and a violation of the right of the East Timorese people to self-determination. Little was done by the UN or its member states to uphold these principles, but the UN action has been critical to the legitimacy and viability of the East Timorese cause and is the basis of UN Secretary-General Kofi Annan's current involvement in the search for a settlement.

Indonesia's occupation of East Timor has been marked by sustained East Timorese resistance, low level armed and civil conflict, and violations of human rights. Some 200,000 people have died from military action and related factors, including famine. East Timor is heavily militarised and has been subjected to sustained Indonesianisation particularly through education, language

and the influx of large numbers of Indonesian migrants.

Indonesia has committed significant development funding to the territory but failed to win over the people. After 24 years, East Timor remains the poorest of Indonesia's 27 provinces and is heavily dependent on budgetary support from Indonesia. The population is highly traumatised and there are severe infrastructure and resource problems in the priority sectors of governance, education, health, agriculture and the economy. Oil and gas resources in the Timor sea remain in Indonesian hands and have so far generated only small financial returns.

The struggle for independence is led by the National Council of East Timorese Resistance (CNRT), an umbrella body comprising the main political parties and the Falintil guerilla force. CNRT President is Xanana Gusmao and Vice-President, Jose Ramos Horta. Apart from the Catholic Church, which is the largest and most influential local institution, civil society is weak. East Timorese NGOs have been established in recent years but they are few in number and overburdened. Although denied access for many years, a number of international NGOs now have offices or support projects in the territory.

3. Current political situation

International support for East Timor strengthened markedly after the widely publicised Santa Cruz massacre in 1991 when Indonesian troops gunned down unarmed demonstrators in the capital, Dili. In 1996, Jose Ramos Horta and Bishop Carlos Belo received the Nobel Peace Prize.

It was the East Asian financial crisis, however, which forced Jakarta to release its grip on Timor. The crisis plunged Indonesia into economic, social and political turmoil, leading to Suharto's resignation in May 1998 and a substantial weakening of Indonesia's capacity and international standing.

Indonesia decided that it could no longer afford the conflict in East Timor economically, militarily or politically. It judged that, by isolating East Timor as a special case, it could limit any flow on effects to disgruntled communities in other provinces, such as Aceh and Irian Jaya. It also calculated that a change of policy on East Timor would significantly differentiate the new government from the discredited Suharto regime and win much needed international approval.

The policy switch came in three stages. In June 1998, Indonesia's new president, B.J. Habibie, proposed autonomy for East Timor, on condition that East Timor accepted integration with Indonesia. On 27 January, this hardline condition was abandoned. Effectively conceding it had lost, Jakarta announced that if the East Timorese rejected autonomy, the Government would ask the People's Consultative Assembly (MPR) to legislate for East Timor to revert to its pre-1976 status as a non-self-governing territory under Portugal and the UN. In February, in a further clear signal of its ultimate intentions, the Habibie government moved the East Timorese resistance leader, Xanana Gusmao, from prison to house arrest in a Jakarta suburb to enable him to play a central role in a settlement. This was followed by an agreement for a direct ballot by the East Timorese people, including those in the diaspora, on Indonesia's autonomy package which will be finalised by the end of April.

The ballot will be conducted under UN supervision probably in August ahead of the first sitting of Indonesia's new MPR parliament scheduled for August 28. Ideally the ballot would be best conducted before the general elections on June 7 while Habibie is still clearly controlling policy. However, it is doubtful that arrangements will be finalised or that East Timorese minimum requirements for a proper consultation, which include Indonesian troop withdrawals, can be met by June.

It is widely agreed that the great majority of East Timorese favour independence and that the autonomy option will be rejected. It is also agreed, including by the East Timorese leadership, that a win-win face-saving process of disengagement is important for Indonesia and for East

Timor's future relations with its powerful neighbour.

Indonesia's agreement to allow the UN to conduct the autonomy ballot is also a significant breakthrough. This will be the first time since 1975 that the UN has had a presence in East Timor. This arrangement will almost certainly evolve into a UN peacekeeping and administrative presence which will fill the gap left by the departing Indonesians and assist the East Timorese in the transition to independence.

4. Backtracking?

Distrust of Indonesia, rooted in 25 years of bad experiences, has prompted some to suggest that Indonesia will renege on its undertaking to let East Timor go. There are also concerns that the new parliament and president to be elected this year will not the honour the Habibie government's policies.

As East Timor's future will be determined in Jakarta, not New York or Dili, it is important to get a clear fix on Indonesia's plans for East Timor. Furthermore, different outcomes will require different responses. Independence, for example, will make substantially different aid and other demands on the international community than autonomy. It will also have different practical implications for NGOs, such as, e.g. those working through Indonesian staff in East Timor.

It is clear, however, that Indonesia wants closure on the issue (though the manner of the separation will not be straightforward or always transparent). This judgement is supported by the clear forward progression in the Habibie's governments approach, outlined above, and the reasons being given by Jakarta for its policy turnaround. These reasons ring true. They include a frank admission that the Suharto policy failed, that East Timor is a burden Indonesia cannot afford in the current economic crisis, and acknowledgement that in a post-Cold War environment East Timor is not a threat.

Indonesia's actions have been difficult to follow. But, unlike its predecessor, this is a weak government which has to negotiate with different power centres and it is in new and dangerous territory. Like a soldier in a minefield, it is picking its way forward, zig-zagging, and weighing up the implications of each step before moving on, not least the implications for national unity.

Megawati Sukarnoputri may well be Indonesia's next president. Whether or not her public statements favouring the continued incorporation of East Timor should be taken at face value, it is difficult to see how she could implement such a policy reversal. Turning the clock back would effectively require a new declaration of war on East Timor, which would be clearly unsustainable from any point of view. NGOs should engage Megawati's PDI party on this issue.

Indonesia's new approach to East Timor should not be dismissed as a deep, dark plot. NGOs should give strong support to the Indonesian policy makers who have acknowledged the failure of past policies and the need for change. NGO forward planning on East Timor should be premised on the assumption of independence.

5. The paramilitaries

The paramilitary issue is the most immediate and urgent humanitarian and political challenge facing East Timor.

Tensions between pro- and anti- integration East Timorese are at a dangerous level and have the potential to set back if not derail the current momentum towards a political settlement. Their activities are also creating serious humanitarian problems in the territory.

Some commentators emphasise what they claim are inherent fratricidal tendencies amongst the Timorese, virtually suggesting that civil war is genetically guaranteed. It is important to stress,

however, that current tensions in East Timor are principally the outcome of the high level of prevailing uncertainty about the future and are being fuelled by the Indonesian military's recruiting, arming and funding of paramilitaries.

Opinions vary on why the Indonesian military (ABRI), or a rogue element in its ranks, is arming the paramilitaries. Most probably it is an extension of ABRI's long standing practice of 'Timorising' the war and equipping Timorese on its side to continue the 'good fight'. This in turn raises the worrying prospect of a contra-style proxy war against the incoming East Timorese government, operating from bases in Indonesian Timor. Whatever the case, the fact that they have guns and money gives the paramilitaries bargaining power to make up for their small numbers.

Calls for the UN to send in troops to enforce peace have been met with little enthusiasm by countries like Australia who are prepared to commit troops only in the context of a political settlement.

Three responses are required. First, it must be emphasised that the paramilitaries are first and foremost Indonesia's creation and responsibility. Indonesia must be pressured by governments and NGOs to disband and disarm these gangs, if necessary through weapons buy-back programs or offers of re-settlement outside East Timor. Second, these groups can be expected to continue to thrive while the political situation remains confused and Jakarta continues to send mixed signals. Indonesia must be pressed to clarify its intentions for East Timor. Third, the paramilitaries need to be brought into the tent and assured of a place in the new East Timor. To this end, governments and NGOs should give every support to encouraging contact, dialogue and reconciliation between the paramilitaries and pro-independence groups. Xanana Gusmao and the paramilitary leader, Joao Tavares, have commenced a dialogue. It is to be hoped this will lead to a ceasefire and disarmament, thereby clearing the way for the introduction of a UN security presence.

NGOs should consider how to support a process of dialogue and reconciliation throughout East Timorese society at all levels.

6. The threatening emergency

There is a pronounced disconnection between the generally positive developments on the political future of East Timor and the situation on the ground.

East Timor is on the verge of a humanitarian crisis which is a direct consequence from the unsettled political and military situation. Paramilitaries are roaming out of control, terrorising locals, issuing death threats and striking fear and panic in many. Many hundreds of villagers have been internally displaced and are living in harsh conditions dependent on local aid agencies and there is a steady exodus of non-Timorese to Indonesia. The loss of skilled people such as airline staff, small traders, teachers, doctors, engineers and of expertise in other vital occupations is contributing to an impending collapse of essential services, and food and medical shortages. Imports have slowed, shops are running supplies down, fifty percent of schools have closed, few hospitals are functioning and are short of doctors and medical supplies, power utilities are breaking down as technicians have fled. Merpati airline has closed its office and flights and boats out of East Timor are fully booked. The army is buying up food and drugs for its own stocks.

Immediate steps should be taken to assess both the humanitarian situation in East Timor and available response mechanisms. This assessment should focus on food, medicine and fuel and canvas. This assessment and subsequent response should be carried out in consultation and partnership with local NGOs, and should address the situation in the countryside as well as the towns.

7. Development principles

At least three principles should guide responses to East Timor's future development.

First, East Timor's development should be determined by the wishes of the East Timorese people to build a society based on respect for universal human rights. This has been spelled out in the Magna Carta promulgated by the National Council of East Timorese Resistance (CNRT) in April 1998. Development will entail operationalising this Charter by providing the institutions and programs necessary for the realisation of civil, political, cultural, social and economic rights that, according to the International Bill of Rights, are the obligations of the modern state.

Second, East Timor's development should be directed by the East Timorese people themselves, in the framework of the Magna Carta, not external donors and policy makers. The right to self-determination will not end with the finalisation of East Timor's political status. It puts the East Timorese in the driver's seat in their own vehicle, for the first time. It is their prerogative now to determine the speed, direction and make of that vehicle and who accompanies and assists them on their journey.

Third, East Timor's development should take into account the need to build amicable, long term relations with Indonesia. Given the history of the relationship, this will be difficult. But it is a geographic imperative and will become more feasible as Indonesia democratises. It will, for example, demand careful consideration of any proposal to establish a truth and reconciliation commission.

8. Aid

Portugal has confirmed that it will temporarily fill the $100 million hole left by Indonesia's expected withdrawal. A quick survey of the situation shows, however, that East Timor will require generous ongoing aid from the international community. East Timor is the poorest province in Indonesia. Poverty and unemployment levels are unacceptably high; health, agriculture and other priority sectors are weak in infrastructure and human resources. Civil society is weak. There is only a small indigenous economy; returns on oil and gas exploitation in the Timor Sea have so far been limited.

Aid will be essential to address basic needs, strengthen civil society, develop human resources, safeguard human rights and assist with institution building. Assistance will also be required to develop a voter's register and to facilitate a free and fair ballot on Indonesia's autonomy package.

A comprehensive assessment of needs and priorities across all sectors is a prerequisite. This should include a human rights needs assessment, taking into account Amnesty International's recently published recommendations. But the absence of an international agreement is stalling this analysis and inhibiting aid efforts, including by AusAID and bodies like the International Committee of the Red Cross (ICRC) whose President recently requested Jakarta to allow it to increase its activities.

Future planning should also address what role the private sector, both indigenous and foreign, will play in East Timor's development and the regulatory framework which will govern business investment and activity.

The National Council of East Timorese Resistance (CNRT) will make an important contribution to development planning through a conference on 'Strategic Development Planning for East Timor' to be held in Melbourne, 5-9 April 1999, in conjunction with Victoria University of Technology. The conference will bring together East Timorese researchers, experts and NGOs and a small number of invited non-Timorese resource people. The outcome will be a strategic development plan on governance, economy, agriculture, health, education, environment, human

rights (including the rights of women), media and the judiciary.

9. Coordination

East Timor enjoys much good will in many countries and already donors are active in planning and delivering aid, though not always with reference to other donors or the East Timorese. To ensure that priority targets are met and to avoid duplication and mismanagement, it is essential that this response is coordinated and empowers the East Timorese.

Coordination is required on at least three levels - inside East Timor, within donor countries and internationally. In organising this coordination, it will be useful to take account of the experience of countries like Cambodia, Eritrea and Namibia.

In Australia, the umbrella Australian Council for Overseas Aid (ACFOA) has established an East Timor Working Group to share information and coordinate responses. The Working Group meets regularly and comprises some 20 NGOs who have been quietly supporting projects in East Timor for some time or who are interested in providing support. In Melbourne, health, environment and other networks are being set up to bring East Timorese and non-East Timorese together to share information and develop analysis and strategies.

On the international level, an international conference of donors - East Timorese, UN agencies, governments, multilaterals, NGOs and the private sector - should be convened as soon as possible to establish priorities and develop a coordinated response.

10. Building and utilising East Timorese capacity

Following are some suggestions on ways to strengthen and utilise East Timorese capacity:

- Supporting and working through the National Council of East Timorese Resistance (CNRT), the umbrella body headed by Xanana Gusmao.
- Providing training in management, policy and programming for key East Timorese in key sectors.
- Developing an inventory of skills, qualifications and experience available in East Timor and in the East Timorese diaspora.
- Establishing a scheme to assist ex-patriate East Timorese to return as volunteers or technical advisers for short or long term placements or to migrate back to East Timor.
- Encouraging business, unions, the public sector, health system, the media, parishes, schools, universities and others to offer exchanges and work placements for East Timorese to gain skills and experience for use in East Timor.
- Encouraging city administrations and local government to develop meaningful sister city/community relationships with East Timor.
- Encouraging the Church to consider ways of assisting the Church in East Timor to adjust to its new role in a changing environment.

11. Conclusion

Despite all the material shortcomings and other challenges it faces, East Timor is emerging from its baptism of fire with leaders of internationally recognised calibre, a strong Church, and a people who have demonstrated extraordinary resilience, creativity and character. These are great assets. East Timor looks like becoming the first new state of the third millenium. With appropriate assistance and good will from international NGOs and others, there is no reason why it cannot also become a model society amongst the mini states of the Asia-Pacific region.

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